

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

DANNY FOSTER, SR., # 167673,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 3:22-CV-70-RAH-CSC
)	(WO)
JOSEPH H. HEADLEY, et al.)	
)	
Respondent.)	

ORDER

Petitioner Danny Foster, Sr. has filed a document the Court construes as Foster's notice of voluntary dismissal under Rule 41(a)(1) of the Federal Rules of Civil Procedure. (Doc. 5.)

Rule 41(a)(1)(A)(i) provides that a plaintiff may voluntarily dismiss an action without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment[.]" Fed. R. Civ. P. 41(a)(1)(A)(i).

Accordingly, it is ORDERED that this action is DISMISSED without prejudice under Fed. R. Civ. P. 41(a)(1).

The Clerk of Court is DIRECTED to close this case.

DONE, on this the 9th day of March, 2022.

/s/ R. Austin Huffaker, Jr.
R. AUSTIN HUFFAKER, JR.
UNITED STATES DISTRICT JUDGE